IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.06.2006

CORAM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM
AND
THE HON'BLE MR. JUSTICE V. DHANAPALAN

WRIT APPEAL NO.781 of 2006
and MP.No.1 of 2006

K. Sakthivel .. Appellant

vs.

State Level Caste Scrutiny Committee
rep. by its Chairman-
and Secretary to Government
Adi Dravidar and Tribal Welfare Dept.,
Secretariat
Chennai 600 009. .. Respondent

Writ Appeal filed under Clause 15 of the Letters of Patent against the order of the learned Judge Mr. Justice K. Ravi Raja Pandiyan, dated 13.06.2006 made in MP.No.1 of 2006 W.P.No.17257 of 2006.

For appellant : Mr. S. Doraisamy

For respondent : Mr. M. Dhandapani
Addl. Govt. Pleader

..

JUDGMENT

(Judgement of the Court was delivered by P. SATHASIVAM,J.)

The writ appeal is directed against the order of the learned single Judge dated 13.06.2006 made in MP.No.1 of 2006 in WP.No.17257 of 2006, in and by which the learned Judge dismissed the stay petition filed by the petitioner.

2. On direction, learned Additional Government Pleader takes notice for the respondent.

3. Heard both sides.

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4. We are not inclined to stay the ultimate decision taken by the State Level Scrutiny Committee dated 27.04.2006. However, in the same order, the Committee has permitted the Tamil Nadu Public Service Commission to initiate appropriate action against the petitioner/appellant by name K. Sakthivel. Further, in para 8, the Committee has directed the District Collector, Dharmapuri to initiate appropriate action against the Officer, who issued the incorrect Scheduled Tribes Community Certificate and also against the certificate holder .

5. In this appeal we are concerned with the certificate holder. Considering the fact that the writ petition is filed against the State Level Scrutiny Committee and the same has been admitted and issued rule nisi, we intend to grant limited relief. Accordingly, the direction in para 8 of the proceedings of the State Level Scrutiny Committee to the District Collector, Dharmapuri for initiating criminal and disciplinary action against the certificate holder - writ petitioner/appellant herein, is hereby stayed till the disposal of the writ petition. It is also made clear that any decision taken by the Tamil Nadu Public Service Commission pursuant to the direction of the State Level Scrutiny Committee dated 27.04.2006, shall be subject to the result of the writ petition. To this extent, the order of the learned single judge is modified.

The writ appeal is ordered accordingly. No costs. Consequently, connected MP., is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

The Chairman- and Secretary
to Government
State Level Caste Scrutiny Committee
Adi Dravidar and Tribal Welfare Dept.,
Secretariat
Chennai 600 009.

+1cc to Mr.S.Doraisamy, Advocate Sr 27642

MAB (CO)
km/29.6.

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